

Jun 30, 2022

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALBERTO PASTRANA,

Defendant.

NO. 1:22-CR-02058-SAB-1

**ORDER GRANTING MOTION
TO CONTINUE TRIAL**

Before the Court are Defendant's Motion to Continue Trial ECF No. 21, and an associated Motion to Expedite, ECF No. 23. The motions were heard without oral argument and on an expedited basis. The United States is represented by Richard Burson. Defendant is represented by Craig Webster.

Defendant asks for additional time for his counsel to fully investigate this matter in order to adequately defend him. He indicates his counsel is still in the initial process of reviewing the discovery with him. He states the United States does not object to such a continuance. Defendant has also submitted a Speedy Trial waiver. ECF No. 22. The Court finds good cause exists to grant the motion to continue.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion to Expedite, ECF No. 23, is **GRANTED**.
2. Defendant's Motion to Continue Trial, ECF No. 21, is **GRANTED**.
3. The current trial date of July 18, 2022 is **STRICKEN** and **RESET** to

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1 **October 17, 2022**, at 9:00 a.m., commencing with a **final** pretrial conference at
2 **8:30 a.m.** All hearings shall take place in **Yakima**, Washington.

3 4. The pretrial conference currently set for July 6, 2022 is **reset** for
4 **October 5, 2022**, at **9:30 a.m.**, in **Yakima**, Washington. Counsel shall advise the
5 Court regarding any dispositive change in the status of this case **at least 5 days**
6 **prior to the pretrial conference**. Any motion to continue the pretrial conference
7 or trial shall be filed at the earliest practicable opportunity, but no later than **seven**
8 **(7) days prior to said proceeding**. Movant shall provide (1) specific and detailed
9 reasons for the continuance to permit the Court to make the necessary findings; (2)
10 if applicable, the Defendant's signed Speedy Trial Waiver; (3) the position of
11 opposing counsel; and (4) the proposed new date. Continuances are not granted
12 absent good cause.

13 5. All pretrial motions shall be filed on or before **September 6, 2022**.

14 6. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between July 18,
15 2022, the current trial date, until October 17, 2022, the new trial date, is
16 **DECLARED EXCLUDABLE** for purposes of computing time under the Speedy
17 Trial Act. The Court finds that the ends of justice served by such a continuance
18 outweigh the public's and Defendant's interest in a speedy trial.

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1 7. Trial briefs, proposed voir dire, jury instructions, verdict forms,
2 exhibit lists, expert witness lists, and summaries of expert testimony shall be filed
3 and served by all parties on or before **seven (7) calendar days prior to trial**. This
4 does not modify the parties' discovery obligations under Fed. R. Crim. P. 16.
5 Absent an agreement between the parties or an Order from the Court, the parties'
6 Fed. R. Crim. P. 16 discovery deadlines shall be governed by Local Criminal Rule
7 16.

8 **IT IS SO ORDERED.** The District Court Executive is hereby directed to
9 enter this Order and furnish copies to counsel.

10 **DATED** this 30th day of June 2022.



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A handwritten signature in blue ink, reading "Stanley A. Bastian", is written over a horizontal line.

16 Stanley A. Bastian
17 Chief United States District Judge
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